

U.S. Environmental Protection Agency  
GOOD NEIGHBOR ENVIRONMENTAL BOARD

**Meeting Summary  
February 20, and 21, 2002**

San Diego State University  
Imperial Valley Campus Library  
720 Heber Avenue  
Calexico, California

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## Good Neighbor Environmental Board

### List of Meeting Participants<sup>1</sup> for February 20, 2002

#### *Non-Governmental, State, Local, and Tribal Members:*

Larry Allen, Board of Directors, Malpai Borderlands Group, Oro Valley, AZ  
Diana Borja, Director, Border Affairs, Texas Natural Resources Conservation Commission,  
Austin, TX  
Gedi Cibas, Ph.D. Manager, Border Programs, New Mexico Environmental Department,  
Sante Fe, NM  
Irasema Coronado, Ph.D., Dept. of Political Science, University of Texas - El Paso, El Paso, TX  
Placido dos Santos, Border Environmental Manager, Arizona Department of Environmental  
Quality, Tucson, AZ  
Jennifer L. Kraus, Acting Chair, Principal, Global Environmental Consulting Co., San Diego, CA  
Susan Kunz, Tucson, AZ  
Jerry Paz, Corporate Vice-President, Molzen-Corbin & Associates, P.A., Las Cruces, NM  
Dale Phillips, Vice Chair, Cocopah Tribe, Somerton, AZ  
Ed Ranger, President, LexRader, Inc., Tempe, AZ  
Diane Rose, Mayor, City of Imperial Beach, Imperial Beach, CA  
Nancy Sutley, Deputy Secretary for Policy and Intergovernmental Relations, California EPA,  
Sacramento, CA

#### *Federal Members:*

Dave Fege, EPA, San Diego, CA  
Tomas Torres, EPA, San Diego, CA

#### *EPA Support Team:*

Elaine M. Koerner, Designated Federal Officer, Office of Cooperative Environmental Management  
(OCEM), U.S. Environmental Protection Agency, Washington, DC  
Geraldine Brown, Staff Member, OCEM, Washington, DC  
Lois Williams, Staff Member, OCEM, Washington, DC

#### *Resource Specialists:*

*(Non-Board members, who actively contribute to the Board's work.)*

Rafael Guerrero, Strategic Planner, USDA/NRCS South Central Region, Fort Worth, TX  
Michael Montgomery, U.S.-Mexico Border Coordinator, EPA, Region 9, San Francisco, CA

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<sup>1</sup> The sign in sheets provided names, with some difficult to read. Summary writer apologizes for any misspelled names.

***Speakers:***

Jose Angel, California EPA Regional Water Quality Control Board  
Mary Belardo, Chairperson for Torres Martinez Band of Desert Cahuilla  
Steve Birdsall, Imperial County Agricultural Commissioner and Air Pollution Control Officer  
Kimberly Collins, California Center for Border Region Economic Studies, San Diego State Univ.

***Speakers continued:***

Jorge Dominguez, Director, CESP, Mexicali  
Congressman Bob Filner  
Orlando Martinez, InterGen  
Michael Montgomery, Border Coordinator, EPA Region 9  
Jesse Silva, General Manager, Imperial Valley Irrigation District  
Octavio Simoes, Sempra Energy Resources

**Members of the Public:**

Kristen Aliotti  
Jennifer Allis  
Fernando Amades, CARB  
Milrose Basco, KSNT  
Hans Beets, Institute of the Americas  
Mary Belardo  
Francisco Bernal  
Allan Blackman, Visiting Scholar, University of San Diego, Center for U.S. and Mexican Studies  
Joe Bocanegra, Mission Springs Water District  
Cecelia Burkos  
Celeste Canter, Sacramento, CA  
Cecilia Cariffiths  
George Chavez  
Jane Clough-Riquelme, Center for U.S. and Mexican Studies, UCSD  
Esperanza Colio  
Alfredo De La Cerda, Cila, Seccion Mexicana  
Michael Ennis-McMillan, Center for U.S. and Mexican Studies, UCSD  
Carlos Escalante, Calexico Fire Department  
Luis Estrada, City of Mexico  
J. Figueroa, RWQCB  
Latty Gayda  
Therese George, Biologist  
Jeff Geraci, ITS  
Valerie Gray, U.S.-Mexico Chamber of Commerce  
Andrea Groves, Center for U.S. and Mexican Studies, UCSD  
Marissay Harmon  
Richard Harmon  
Walter Harmon, Retired Industrial Engineer, Food Scientist, Sacramento, CA

Francisco Hernandez  
John Hernandez  
Carlos Herrera  
Michael Kemp, Imperial Irrigation District  
Kathy Kopinak, Center for U.S. and Mexican Studies, UCSD  
Orlando Martinez, InterGen  
Torres Martinez, GNEB  
Jose Matus, Director, Coalicion de Derechos Humanos, Alianza Indigena Sin Fronteras Arizona  
Border Rights, Tucson, AR, and Member, International Subcommittee of the River Committees  
Stephen McNett  
Richard Mestan, Imperial Irrigation District  
Colleen Morton, Vice-President, Institution of the Americas, La Jolla, CA  
Sergio Noriega  
Luz Parris Sweetland, USDA Forest Service  
Carlos Pena, USIBWC  
Dale Phillips  
Walt Platkus, Environmental Management System Developer, Tracer E.S.A.T.  
Tiffany Prather  
Jim Riccard, Professor, Physical Science, San Diego State University  
Alex Rodiak  
Jim Satmera, USFS/USBR  
Peter Sura, Surnez  
Tony Triado  
Herando Valdor  
Mr. Venejos  
Carlos Yruretagoyena  
Richard Wilson, Western Hydrology  
Ski Wolkiewicz, Sweetwater Authority

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**Meeting Summary - February 20, 2002**

***Introduction:***

The Good Neighbor Environmental Board (the Board) is an Environmental Protection Agency (EPA) independent advisory committee. It advises the U.S. President and Congress, on good neighbor practices, along the U.S.-Mexico border, focusing on environmental infrastructure needs, within the ten states, contiguous to Mexico.

The Board consists of a diverse group, encompassing rural, and urban areas, with both varying, and common local concerns, and priorities. Composed of representatives from federal agencies; non-governmental organizations (NGOs); state, and local agencies, and groups; and tribal communities, the Board includes representatives from the ten states bordering Mexico, and representatives from Washington, D.C.

***Meeting Focus:***

The Calexico meeting centered around water and energy themes, with extensive presentations from guest speakers, and active participation from local citizens, and public officials. Board members heard diverse viewpoints, with a wide range, including: U.S., Mexican and tribal environmental entities, a non-profit organization, local, and state elected officials, and private citizens. This meeting successfully accomplished its goal of expanding community participation.

***Greetings and Welcoming Remarks:***

*Acting Chair, Jennifer Kraus*, opened the meeting, by thanking attending members of the public, who joined the Board to discuss U.S.-Mexico border environmental issues of common interest. She encouraged everyone to sign a distribution list, in order to receive future information, and a "blue sheet" for those interested in participating in the public comment period, later in the meeting. Chair Kraus also asked everyone present to take copies, of the reading materials and resources available, as desired.

*Mayor Victor Carrillo*, Calexico, greeted, and welcomed those attending the meeting, as did *Tony Tirado*, Imperial County Board Chair. *Steve McNett*, Assistant Dean, San Diego State University,

Imperial Valley Campus, welcomed the committee, and participants, to the campus, and stated that he was glad to have important events, such as this, on campus.<sup>2</sup>

***Overview - Water Quality and Wastewater Issues Facing Local Communities - Slide Presentation:***

*Jose Angel, California EPA Regional Water Quality Control Board (CRWQCB)*

Introduction:

Jose Angel, with the California EPA Regional Water Quality Control Board (CRWQCB), began the presentations, giving an overview of water quality, and wastewater issues, facing local border communities, in the Imperial County area. He outlined the hydrological setting, highlighting the CRWQCB's point of view, that this watershed remains severely impaired, hence the priority watershed for pollution control.

The following facts emphasize this position:

- The New River connects to the Salton Sea, the largest inland water in California.
- In the watershed, surface waters consist of the Salton Sea, the Alamo River, and the New River.
- The Alamo River, originating in Imperial County, not the New River, is the Salton Sea's major tributary.
- The Salton Sea basin is a sink, and as such, has no boundaries. It is a boundary watershed, covering 8,000 square miles, and draining one third of the Mexicali Valley.
- The Salton Sea is maintained artificially by wastewater, primarily the agricultural material flows, which contribute nitrates and phosphates, adding to the Salton Sea's problems.
- High saline levels concentrate in the Salton Sea, making it approximately 21 percent saltier than sea water, and placing more than 350 avian species, under severe stress. Unless corrected, within 10 to 20 years, the fishery will disappear.

New River Status:

- Statistics, regarding the New River, portray a picture of an agricultural drain, rather than a true river.
- Ninety-nine percent of the water is wastewater, contaminated agricultural flow, containing DDT, metabolites, and other contaminants (25 percent domestic wastewater); while the remaining 75 percent, consists of raw sewage, and Mexican industrial components, such as organic 200-1,000 tons of trash, pesticides, and significant pathogens, resulting from collapsed pipes.
- Two thirds, of the New River's 450,000 acre feet per year, of flow generates from the United States, and includes contaminants, such as pesticides, sediment, pathogens and salts.
- Bio-accumulation of residual pesticides causes toxicity in fish tissues.

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<sup>2</sup> Transcriber did not record Mayor Carrillo's, Chair Tirado's, and Assistant Dean McNett's remarks. Summary writer was able to contact, only, Mr. McNett, for a recap of his comments.

Projects for Solutions: A major catalyst of progress began, when Mexico decided to accept technical, and monetary assistance from the United States. National projects, initiated in the 1980's, and more recently, in 1995, with a National Technical Committee established to oversee and recommend infrastructure projects, deal with water quality problems, concerning the New River, as it crosses the border. Two projects break the area into two sections: Mexicali I, the older part of town, and Mexicali II, new development east of the city. Started in 2000, and slated for completion in four years, Mexicali I entails replacing 20 miles of collapsed large pipes, the major arteries for the sewage collection system. Mexicali II consists of new construction of a wastewater treatment facility.

Mexico contributes additional projects aimed at solving these problems, including: a wastewater treatment operator training program, in cooperation with the City of Calexico, and others. Also, Mexico continues to take steps to uncover the New River, and one of its major tributaries, precluding people from dumping trash into the New River in Mexicali. After several closings, three dumps remain in Mexicali on the New River's flood plain. Three dumps remain on the U.S. side, as well.

Although Mr. Angel did not elaborate on the Total Maximum Daily Loads Program, he mentioned that the California EPA Regional Water Quality Control Board uses it, in implementing solutions to pollution problems. Mr. Angel also stated that both the regional, and state boards adopted a requirement for local farmers, to control the amount of silt that comes from their fields, along with the state board's adoption of pathogen controls on the New River. This pathogen control requirement includes: a system of wastewater treatment plants, installing disinfection, and a load allocation of pathogens at international boundaries. Federal and state governmental responsibilities may clash here, as well as questions resulting from enforcement issues.

Other examples include:

1. Under the federally mandated Chem Deal, a control mechanism to promote legal, and technically, and scientifically effective solutions to pollution problems, a new approach may include encouraging local input from those affected by the program.
2. The Imperial County Farm Bureau promotes a voluntary, proactive effort, funded by a state board grant, involving a management watershed program, assisting farmers to comply with state requirements.
3. Several wetlands projects funded through federal legislation.
4. Salton Sea Authority, a joint power authority, dealing exclusively with Salton Sea problems, focuses primarily on salinity, and elevation. Dependent upon debates, deciding proposed water transfer issues, repairing the Salton Sea's problems will cost a great deal - estimates range from several years ago, with figures beginning at \$50, \$100, \$300 million, and currently reaches \$1-2 billion, with future estimates of \$10 billion.

Expected Results/Remaining Problems: Once completed, Mexicali I and II should result in significant water quality improvements, achieving 70 to 75 percent of water quality criteria. While five small wastewater

treatment plants, on the U.S. side of the border, began disinfecting, they generate only two percent of the total flow in the New River.

However, two issues remain unresolved: 1.) Advanced treatment - disinfection, or removal of pathogens, and 2.) Mexico's agreement, through the North American Free Trade Agreement (NAFTA), to establish an industrial pretreatment system, which is currently behind schedule. Other issues remain problematic, including: illegal trash dumping in Mexicali, non-point source pollution, especially regarding Mexico's lack of enforcement.

Conclusions: Since the Salton Sea, and all the surface waters are artificial surface waters, or wastewaters, any action taken, regarding the return flow, will directly impact the quality of the tributaries, and the sea, itself. The long-term transfer agreement, between the Imperial Irrigation District, and the San Diego County Water Authority, will shape the future for water in the valley.

Current considerations include: transferring, a minimum of up to 200,000 acre feet of water, to San Diego. The characteristics, and magnitude of the impacts, relate directly, to how to accomplish this transfer. Several options present themselves, including: 1.) Exclusive conservation, or tile water, which is water that comes from the surface of fields; 2.) Fallowing some of the land; and 3.) Improve irrigation.

Other problematic issues include: 1.) One, posing a national impact, and needing discussion with Mexico, involves the lining of orchards, of the All American Canal. The Canal seeps water, and Mexicali has tapped into that supply, operating several groundwater wells. 2.) Two power plants, approved by the Mexican government, operate as wet cycle parklands, using water, in an arid environment. 3.) The salt content of the Salton Sea will rise. Brine, or untreated discharge (in this case, industrial, primarily from Mexico) will continue to present problems. 4.) With no consensus on how to proceed, on many issues, and with various projects in varying states of completion, both sides of the border have many issues to resolve, collectively and independently.

#### Questions:

*Jerry Paz:* How did 'your' international Total Maximum Daily Load (TMDL) originate? And could that novel approach apply all along the border, as an effect of NAFTA?

*Jose Angel:* As federal conformance, surface waters are considered waters of the nation, designated as polluted, then listed, pursuant to requirements of the Clean Water Act. We must identify them, then take action, prescribed to establish control, as the Chem Deal mechanism. We decided to take that approach, novel or not, because it made sense. Most of the pathogens originate in Mexico, and preferring a cooperative solution, we didn't see a resolution for this problem. State law, namely the Water Quality Control Act, presides first, with authority and jurisdiction over state surface waters, then federal law steps in, which to us, doesn't make much difference. We want a mechanism to hold people responsible, namely our wastewater treatment plants on the U.S. side of the border, and the federal government at the border.

*Carlos Herrera:* Was a study made of the effect the Mohawk project has on delivering water to the Mexicali Valley, and the return flow of the New River, and the Salton Sea?

*Jose Angel:* Mr. Angel reported that although he was not completely familiar with this, he understood that water, considered as brackish, was sent to the southern portion of the Mexicali Valley to sustain some of the ecosystem at the delta areas, but not agricultural purposes.

*Carlos Herrera:* Historically, because of its salinity, the water provided to Mexico ruined some Mexicali farms.

*Jose Angel* agreed, and stated that he did not know whether a study was made.

At this point, Chair Kraus cut the questions short, due to time. She encouraged attendees to approach members, or guests, at the breaks for additional questions/information, and asked members to introduce themselves to the assembly. Chair Kraus reminded Board members to use the suggested format of the Sixth Report form, to assist them with note-taking, and introduced the next speaker.

***Overview - Energy Issues Facing Local Communities - Slide Presentation:***

*Steve Birdsall, Air Pollution Control Officer, Agricultural Commission for Imperial County.*

Introduction:

Focusing on the impact that constructing two power plants in Mexicali will have on the region's air quality, Mr. Birdsall outlined several issues of concern: 1.) Air pollutants emitted by the plants, primarily nitrous oxide (NOX), and 2.) Carbon monoxide (CO). Imperial County, approximately 45,000 square miles, has more pollutants than meet the standards, therefore, adding these pollutants to the already low inversion, during the wintertime, especially, will result in greater nonattainment for ozone. Considered lung irritants, CO reduces lung function and increases the risk of respiratory infections. Whereas, Imperial County has a population of approximately 140,000, Mexicali's population reaches between 750,000, to more than one million.

Based on 1997 air quality standards, Mexicali experienced 98 days of exceedances, 28 days for ozone, and 51 days for CO, with the remainder for particulate matter (PM) and other pollutants. Imperial County experienced 56 days of nonattainment, during the same period, clearly illustrating that air quality varies greatly, within less than one half mile.

Power Plant Construction Description:

- 600 megawatt, combined cycle natural gas or NOX burners with SCR, with catalytic converters, with controls for NOX and CO.
- Another 600 megawatt, produced by two gas turbine units, with no controls.
- The initial plant with 750 megawatts or three units, only one of which has controls for CO.
- 329 megawatts, a third unit, with controls.
- The plants under construction rest approximately 13 miles west of Calexico, or three or four miles

- south, depending on statistics cited.
- Two proposed plants include: American Electric Power, seven megawatts, perhaps part of InterGen's fourth unit; and the industrial San Luis Colorado, located approximately 30 to 60 miles east of Calexico.

An *unidentified attendee* asked about the three units, and *Mr. Birdsall* stated that there were two separate permits.

Issues/Concern:

Since the entire area is bowl shaped, both sides of the border, virtually, share the same air, reaching into Yuma, and San Luis, Arizona. In California, the best available control technology equates to 2.5 ppm emissions for NOX, and 4.45 for CO, and fumes, such as natural gas. However, Mexicali's limit on NOX is 139, with no limits on CO or particulate matter, and no emissions required. Translating the meaning of these statistics, the yearly air quality results will reach 189 tons of NOX emissions, and 1888 tons of CO. InterGen plants will have slightly less than 2000 tons of NOX emissions and slightly more than 2000 tons of CO emissions. These yield a result of a 10 percent increase in total NOX.

Conclusion:

Mr. Birdsall asked for the Board's assistance, in facilitating a discussion/negotiation ("harmonization") between the United States, and Mexico, for air quality standards, along the border. Citing both the obvious health issues, and more subtle economic issues, regarding the impact that increased pollution will have, as a disincentive for future economic growth, Mr. Birdsall urged the Board to begin dialogs. He added that the Board of Trade Alliance passed a resolution recently.

Questions:

*Diana Borja:* Elaborate on "harmonization".

*Steve Birdsall:* The extreme differences in standards, between Mexico, and California, illustrate, to Mr. Birdsall, that both countries need to adopt one common air quality standard, close to the U.S. federal standard, in order to protect health, and economic interests. He also pointed out the need for improved communication, between the regional, and national governments.

*Kristen Aliotti:* Practically, how does Imperial County hope to protect its air?

*Steve Birdsall:* Litigating the two permits, asking the Department of Energy to intervene, and for InterGen to spend \$7 or \$8 million, to place control devices on the power plant.

Mr. Birdsall reported that he would provide copies of his presentation and resolutions he mentioned.

***Local Environmental Priorities - A View from the Non-Profit Sector:***

*Kimberly Collins, California Center for Border Region Economic Studies, San Diego State University, Imperial Valley Campus*

### Introduction:

Kimberly Collins from the California Center for Border Region Economic Studies (the Center) presented an overview of quality of life issues for residents of the Imperial Valley, using the data collected by the Center. The current population is 142,000, with the Department of Finance for the State of California projecting a 53 percent increase, to 217,000, by 2010.

### Specific Issues, Essential to Quality of Life:

- Approximately 30 percent of the population lives in poverty, using federal standards, with close to 44 percent of children living in poverty, compared to California's overall population of 16 percent, and 24 percent for children.
- Highest unemployment rate in California, with more than 26 percent unemployed in 2000, and remaining consistent, since then.
- Ranked as one of the poorest rural communities in California, with per capita income, only \$17,550 in 1999.
- Regarding health issues: one of the highest childhood asthma rates in the U.S.; high rates of tuberculosis; high mortality rates, with respiratory illnesses significantly higher than the general population; and high rate of cancers.
- Because of increased growth rates, satisfactory housing is an issue.
- Lower education levels, with 50 percent, achieving a high school diploma, compared to California's general population, with 76 percent; and 10 percent, reaching college graduation, compared to California's general population, with 23 percent.
- Other major problems exist, including: 30,000 to 40,000 tires polluting, piled in Mexicali; air pollution; pesticides, and farm land particulate matter; additional power plants scheduled for construction; lead paint; impaired surface waters; Colorado River delta, regarding the water transfer; more older, less fuel efficient cars, emitting more pollutants; and extreme dust conditions.

### Conclusion:

Living in an area, fraught with so many problems, can promote hopelessness in residents. The Center looks for long-term solutions to empower the citizens, in problem solving and implement smart growth.

### Questions:

*Dale Phillips* wanted to know more about the studies, particularly how far into Mexico they went, and mentioned that the Cocopah Tribe had tested some river water and were shocked by the quality.

*Kimberly Collins* explained that the Center had limited resources, but worked with five major universities in Mexico that conduct research, including 30 assays on the Imperial Valley and Mexicali, focusing on environmental, and economic development issues. She added that no real analysis of the New River's pathogens exists.

*Diana Borja* commented that the residents on the border paid for the benefits others receive, in terms of energy, economic benefits of goods and services, etc. She asked about hazardous waste transfer.

*Kimberly Collins* responded that EPA and a contractor performed an analysis of waste transported through the city of Calexico, resulting in the city changing its truck transport route.

*Gedi Cibas* asked about emissions trading research, and *Ms. Collins* reported that she knew Marguerita Canterra, the researcher, and that the International Emissions Treaty is extremely complex. She will pass on Ms. Canterra's number.

*Kristen Aliotti* asked whether community groups had surfaced in response to the many problems outlined.

*Kimberly Collins* noted that the groups were issue oriented, and even though she lived in the area, some in the community would not consider her part of the group, because she works at SDSU. Given the extreme poverty levels, survival and existence remain a struggle for most residents.

*Chair Kraus* asked that members of the audience, recently arrived, introduce themselves<sup>3</sup>.

***Energy - InterGen Perspective - Slide Presentation:***

*Orlando Martinez, InterGen*

Introduction:

Orlando Martinez outlined the following points in his presentation: 1.) Why InterGen will build a power plant in Mexicali, mentioning worldwide construction; 2.) What air quality measures InterGen plans to take, including the results of the air quality assessment; and 3.) How InterGen plans to improve air quality in the region, illustrating an ozone reduction program, and efforts to harmonize standards along the border. Emphasizing that construction must comply with Mexican regulations, he reported that all power plants under construction, in Mexico, have dry low-NOX burners, but none have additional controls.

Indicating slides that depict where InterGen has other power plants in Mexico, Mr. Martinez discussed the air quality impact assessment study contracted to a Los Angeles firm. Using EPA methodology and guidelines, the study used an industrial source complex model, determining that there was no significant impact on the region's air quality. Producing a chart that summarized the Mexican and World Bank standard norms, for negative impact on health, Mr. Martinez reported that InterGen's plant fell well below both. Again, Mr. Martin's next chart showed that InterGen was below EPA's significance levels, as well.

Conclusions and Proposals to Solve Issues:

Mr. Martinez stated that InterGen began the project, in response to the Mexican government's bid, and increased the size of the power plants, because of the increased power prices in California. The power for sale is split 50/50 between the United States and Mexico.

Recognizing the air quality issues, already discussed by other speakers, Mr. Martinez proposed several

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<sup>3</sup> Please find a complete list of members of the public on pages 3-4, entitled *List of Participants*.

solutions:

- Voluntarily install best available control technology in two out of the four turbines.
- Fund an ozone reduction program, promoting communication with both governments.
- Cooperate with efforts to harmonize air quality standards along the border, decreasing the disparities, even among states.
- Hire a scientific advisory board, conducting a new air emissions inventory of the area, pin pointing the pollution sources and levels.

Questions:

*Susan Kunz:* Referring to Steve Birdsall's presentation, reporting that InterGen emissions for power plants were much higher than Sempra, please comment on why.

*Orlando Martinez:* Two turbines, for service in California, under merchant programs, installed with the best available control technologies, are under InterGen's control. Whereas, other turbines, built for Mexico, are under a contract with Mexico, and InterGen is working with Mexico in ways to improve control terms. He restated that InterGen abides by the Mexican standards, when questioned who is responsible for air quality.

*Carlos White:* Commenting whether InterGen, or the Mexican government is responsible for air quality, Mr. White stated that he felt strongly that InterGen should build only power plants that produce clean energy, so that citizens should not have to suffer negative health impacts. He also stated that he was against companies like InterGen and Sempra, for increasing negative health impacts, due to power plants they build.

*Chair Kraus* mentioned that JSWT television joined the meeting. *Elaine Koerner* took care of lunch logistics, then Chair Kraus introduced the next speaker.

***Water Rights and Water Supply - A View from Local Government - Slide Presentation:  
Jesse Silva, General Manager, Imperial Valley Irrigation District (IID)***

Introduction:

Jesse Silva, General Manager, Imperial Valley Irrigation District (IID), began his presentation by giving the following general water statistics:

- The IID provides all the Imperial Valley's water, both for irrigation and municipal uses.
- Organized in 1911, as an irrigation district, IID water comes from the Colorado River.
- The Imperial Valley is in a desert, with approximately .5 million acres agricultural area in the valley, with all the cities and area IID irrigates located in the middle of the valley.
- IID operates the Imperial Dam on the Colorado River, bringing water through 84 miles of the All

American Canal, diverting up to 3.2<sup>4</sup> million acre feet. The entire state of Arizona diverts 2.8 million from the Colorado River, and IID diverts up to 2 million feet.

- An equal amount of drain system and reservoirs exist, as well as a large tile drainage system.

#### Water Rights Issues:

Regarding water rights, the IID shares in the California agriculture of 3.5 million acre feet, as third in priority, meaning entitlement is elastic. Also, currently, using 2.6 million acre feet, IID has a perfected right, with a contract through the federal agency. Concerned about conservation, in 1989 IID entered into an agreement with the Metropolitan Water District, to conserve 100,000 acre feet of water, which paid IID \$128 million.

Overall, California has a right to 4.4 million acre feet from the Colorado River, but is diverting 5.2 feet. The excess diversion worries other states, on the Colorado River basin, that California may become dependent upon other states' water. In order to alleviate the concern, IID entered into a quantification settlement agreement, stating that in lieu of an elastic right, IID would cap its use at 3.1 million acre feet. This allows conservation, and sharing with other urban agencies with a great need. Additionally, the agreement states that California agrees to stay within the 4.4 million acre entitlement, after a 15-year weaning period.

#### Conclusions, Regarding Water:

Water conservation remains the highest priority, particularly providing assistance to urban neighbors, yet making certain not to economically harm district customers, and providing them with enough water to continue their general standard of quality of life. Recently, IID completed an environmental impact report on the water transfer, highlighting the state of the Salton Sea as the largest issue.

#### Electric Service Issues:

In terms of area, the electric service area is larger than water. Formed in 1936, IID serves 105,000 customers, in an area roughly 6400 square miles, with approximately 800 megawatts of energy. Six hydroelectric plants, along the canal, take advantage of the 180 feet over 60 miles drop, and produce 24, 230, 80, and 172 megawatts of power. The customer mix is 40 percent residential to 60 percent industrial, and our competitive rates, and status as a public utility, ascertain we do not make a profit.

The IID was not required to deregulate, therefore it did not change activities, as did some other utilities in the area. Rejecting the model to brokerage power, IID retained its original model, maintaining control over its service area, in an effort to avoid brownouts, or blackouts.

#### Conclusions, Regarding Electricity:

IID's goal is to retain control and obtain its generation, through its public model, in spite of federal

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<sup>4</sup> Conflicting statistics cited in the transcript stated: *the 'district' operates the Imperial Dam, and we divert 3.2 million acre feet; then IID diverts up to 2 million feet.*

regulation, primarily the Federal Energy Regulatory Commission, which wants to form four large regional transmission organizations, controlling all transmission. Companies, such as InterGen, may sell directly to the California market, but IID does not think that is necessarily a good idea.

IID continues to focus on diversifying its resources, looking at the long-, and short-term contracts, to meet peak needs, in order to best serve its customers, and wants to portray that, strongly, to the federal government.

Questions:

*Mr. Guerrero* asked if the agricultural community is as efficient as it can be.

*Mr. Silva* replied that currently the IID is between 75 to 80 percent efficiency, with state standards aimed at 65 percent. But he added, there was always room to improve.

Then, discussing the model IID uses, *Mr. Guerrero* reported that the Rio Grande basin was facing the same challenge, in which urban areas have a tremendous need for water, and 80 percent of the water is used for agriculture. He added that finding and funding solutions to improve irrigation efficiency is essential.

*Mr. Silva* reiterated that IID's system is currently 90 percent efficient, and that farm and urban communities need to cooperative and find mutually beneficial solutions.

*Michael Montgomery*: Restating that since California's allocation is 4 million, and 3.1 million is IID current settlement, then 75 percent of the water under that commitment comes to the Imperial Valley, *Mr. Silva* agrees, adding that California takes 4.4, IID commits to 3.1, with 100,000 going to Metropolitan, and the other 300,000, as well, then IID ends up with 2.7, with the rest going to urban areas.

*Kristen Aliotti* asked if the water transfer were a "done deal," and if reintroducing, the possibility of fallowing, changed local support for IID's water transfer.

*Jesse Silva* stated that the water transfer to San Diego is ongoing, but that environmental issues may stall, or sidetrack progress. The original agreement specified that IID would produce water through physical changes in the system, not fallowing, yet now, the environmental impact report points out that the best course of action is to do nothing, and the next best is fallowing. Currently, *Mr. Silva* said the IID has a dilemma, because of the negative impacts associated with fallowing.

Again, *Chair Kraus* had newly arrived audience members introduce themselves.<sup>5</sup>

***Energy - A View from the Private Sector - Slide Presentation:***

*Octavio Simoes, Sempra Energy Resources*

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<sup>5</sup> Please see names on pages 3-4 of the *List of Participants*.

### Introduction:

Octavio Simoes, Sempra Energy Resources, presented an update of the generation project under construction in Mexicali. He defined Sempra Energy, as a two utility entity: San Diego Gas Company, and Southern California Gas Company, and unregulated companies, such as Sempra Energy Resources, developing power throughout the U.S. and mostly South America.

Statistics, providing a crucial understanding of Sempra's projects, include:

- Baja California, from an electric and energy perspective, is not connected to the rest of Mexico, but synchronized and linked to the U.S. the western systems.
- Both Baja California, and Southern California exist at the end of the pipe for natural gas and electrical transmission, creating significant problems, aggravated by an inadequate infrastructure.
- Baja California's growth rate continues at five percent per year, the fastest growing region in Mexico, and demands for increased power escalate.
- Alternatives to natural gas, mainly number 6 oil, and diesel, produce significantly more emissions than natural gas.

### Specific Energy Plants:

The Mexicali plant consists of two combustion turbines, with cooling towers, and all needed equipment, built to California standards. Slides presented specific technical details, comparing the Mexicali plants, with the U.S. plants, showing little difference, from the graphs depicted, illustrating identical technology. Benefits include providing power to meet the entire region's needs, and removing all biological contaminants, from sewage lagoons. No potable water will be consumed.

With Mexico's \$360 million investment, more than 50 percent goes to Mexican companies, with 2,000 employees at the construction site, and 40,000 additional jobs after operation. Sempra will pay \$11 million in taxes, and \$1 million for water. Also, Sempra will train employees and companies, providing technology and assistance.

### Conclusions:

Clearly proud of Sempra's efforts in constructing the plant and "doing the right thing", Mr. Simoes reported that in 2000, Sempra reduced emissions substantially, but converting some customers to natural gas, and converting those to the plant. He also mentioned that Sempra created offsets and emission credits, not required by the Mexican government, nor California.

### Questions:

*Irasema Coronado* asked for further information on public participation, regarding the plant, and in the process of trans-boundary affects, within 100 kilometer of the border.

*Mr. Simoes* said that Mexico does not have a tradition of public participation in public projects, but that some are beginning to develop, and Sempra has received public support. Sempra also received support from the Commission for Environmental Cooperation (CEC), under NAFTA, and suggested creating a bi-national, independent group to discuss, and provide solutions to issues, along the border, using real data.

*Irasema Coronado* brought up Border 21, as a similar group to discuss those same issues, and *Mr.*

*Simoes* did not know, and pointed out the confusing, and often conflicting, standards between the countries, and, even, individual states. He also mentioned the difficulty in trying to move electricity long distances.

*Mr. Santos* was “shocked” by the differences, in presentations, from the two companies, building power plants, and asked that InterGen speak again, to clarify issues. Specifically, he questioned the additional large capital costs, and asked what drove the two firms to such dramatically different conclusions.

*Mr. Simoes* spoke for Sempra, saying, his company decided no matter where they built, they would use the best available technology.

*Mr. Martinez*, for InterGen, said that the Mexican government had invited them, and needed to connect to the Mexican grid, and InterGen will try to modify the contract to improve air quality.

*Chair Kraus* thanked all guests for their presentations, and introduced additional audience members,<sup>6</sup> before beginning the public comment period.

### ***Public Comment Period:***

*Luz Parris Sweetland*, *USDA Forest Service*, informed the Board, that the Forest Service is in the process of relocating its main office for this region, probably in El Paso, opening in May, through a proposal from the University of Texas. The region includes three national forests: Cleveland Forest in San Diego, California; Coronado, out of Tucson, Arizona; and El Gordo, further north, still within the border region.

Broken into three regions: Region 5 - California, based in San Francisco; Region 3 - Albuquerque, handling Arizona, and New Mexico, based in Albuquerque; Region 8 - Texas and 13 other states, based in Lampton.

The Forest Service is making an effort to be more active in border issues; and Cleveland and Coronado signed cooperative agreements to provide training, firefighting assistance and environmental education to Mexico. Currently, projects include: responsible border management; forest-related programs, and land management programs; landowners, and stewardship programs; eco-tourism; promoting urban and community forestry in low water, drought areas, conservation education, and other natural resource management promotion; promoting smart growth through cooperative efforts with cities; and Green Infrastructure programs, considering trees, and vegetation, as important to the air, and quality of life, as schools, and hospitals.

Working with many organizations, such as the GNEB, RC&D Water Coalition, the Southwest Strategy, the National Park Service border office, etc., the Forest Service promotes natural resource management,

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<sup>6</sup> Ibid.

and work with communities, through its new Border Commission.

*Colleen Morton, Vice-President, Institution of the Americas*, based in La Jolla, California, invited everyone to participate in the Institution of the Americas' private-sector oriented, water program, focusing on facilitating investment in infrastructure in Latin America. Holding a program in San Diego, in April, on Mexican water projects, projects will focus on Brazil, and other parts of Latin America.

Ms. Morton made observations, from her personal experiences, as a former member of the Board, and a lobbyist for NAFTA:

- Water management, in the U.S. remains extremely fragmented, and localized, and in Mexico, remains centralized, but fragmented.
- While noting change, she mentioned Texas' efforts, in establishing varying types of watershed basin management authorities, and community group cooperation; and Mexico's decentralization, and devolution of authority, for control of water issues, for the state, and municipal, and river basin counsel level.

Ms. Morton recommended that the Board perform, and promote more research, on the potential for including increased market mechanisms, in water management. Reiterating market failures in water, as a reason for heavy regulation, politicization, and increased difficulty in agreeing on pricing water, she mentioned that universities in California, and Latin America have issued new research studies showing that water **is** an economic good. She further alluded to the Board's future role in simplifying the decision-making process, regarding water, in acting as the bridge between nations, and bringing together the fragmented factions on both sides.

*Valerie Gray, with the United States/Mexico Chamber of Commerce*, works to build an environmental program, since 1994. Walking those present through the website, ([www.usmcoc.org](http://www.usmcoc.org)), Ms. Gray highlighted three projects: 1.) 200 small and medium sized enterprises as recipients of platforms for computing hardware, software, training, and networking capability. Plugging these recipients into as many network resources as possible, the project continued by providing installation, and training on basic Windows applications. 2.) Access Mexico Project, formally called, The Environmental Window, allows users to open local, state, and federal environmental laws, currently at 715, or approximately half the goal of 1400. 3.) Seven Principles of Environmental Stewardship for the 21<sup>st</sup> Century, which consists of risk assessments, involving the seven principles of environmental searches. Developing a stakeholder process, the project identifies each principle's performance indicators, and informs you whether or not the goal is met.

Not attempting to replace other environmental systems, such as the International Environmental Standards Organization (ISO 14001), the chemical industry's Responsible Care, EPA's Environmental Leadership Program, or the CEC's Ten Guidelines, the Principles project works to integrate the approach to reaching a set goal. Invited to visit the website for viewing the results of recent workshops, and providing comments, Ms. Gray yielded to Mr. Platkus, with additional information about the Principles project.

*Walt Platkus, Environmental Management System Developer*, managing two facilities in Tijuana, Mexico brings the Board's attention to an article he wrote, entitled, "Tearing Down the Walls." This ground-up project involved a team of non-governmental (NGO), governmental, and academic people, to develop a consensus, of highly technical economic indicators, promoting environmental excellence.

Continuing to describe recent work, Mr. Platkus discussed pollution prevention, using the MS Toolbox to understand a case study program for people without an industrial background. The workshop series consists of 12 sessions, ISO 14001 based program, designed for smaller industries and businesses. Participants develop their EMS during the sessions, at a considerable cost savings, from consultants visiting a site, and maintaining small class size integrity. Another 12 session workshop would focus on non-industrial participants, desiring to learn what an EMS has to offer, and how it works.

Mr. Platkus concluded by asking the Board "to support, as an objective, the concept of a continuous improvement of sustainability through the use of EMS continuous improvement."

*Jose Matus, Director, Coalicion de Derechos Humanos, Alianza Indigena Sin Fronteras Arizona Border Rights, Tucson, Arizona, and Member, International Subcommittee of the River Committees* began by thanking the Chair for inviting the public, including him, to this meeting. Emphasizing the need to learn more about the Board, he reiterated the importance of public invitations to these types of important meetings. Mr. Matus represented the Lansdenas, and Quinterros, composed of 10 individual Tohono Nation of the Yaqui Tribe, from Sonora, Mexico, part Apaches, and the Cocopah Nation, the Cuyapaipes, in California. Representing seven or eight nations, and 10 organizations participating in the project, Mr. Matus continued by describing the project as twofold: 1.) To promote the respect of rights, especially of passage, and ability at the border; and 2.) To protect sacred sites and lands.

Mr. Matus asked the Board, if it works with, or invites, to participate, any indigenous communities in Mexico's border area, and if studies were conducted, regarding the environmental impact of immigration legislation, and lethal water policies, implemented in border policies. He stated that many problems created by immigration laws greatly concern the Tohono nation. Also, he stated that many people die, attempting to cross the border, because of the legal policies.

Mr. Matus urged the Board to consider problems facing indigenous communities in Mexico, such as pesticides creating birth defects, and fish dying in the water system. Mr. Matus concluded by stating that he supports the Native American Subcommittee, and always mentions that Native Americans do not wish to be left out of participating in dialogs, and collaborative efforts, with the federal government, or any body, regarding environmental issues of mutual concern.

*Carlos White, self-described, active citizen*, applauded the Board, as an option to be heard. He offered Ms. Sweetland a "home," and, perhaps, funding, for her Forest Service office, if she failed to find one. Next, taking issue with Mr. Simoes from Sempra, Mr. White stated that he had a problem with companies benefitting from gas generated by another company, "with not so clean energy," and then adversely

affecting citizens' health, on both sides of the border. He would like to find a way to tell the Minister of the Environment and the Energy Secretary of Health to change the models, to include human value in this equation, reaching a win-win situation.

Mr. White stated that he was pleased to have Native Americans as a partner in these discussions, as intellectual individuals, providing counsel, resulting in a better judgment. He called for action, to begin correcting errors, and including the human side, in making all these decisions. He also invited more people to listen to people in the little towns.

*Carlos Herrera, local resident*, expressed his concern in this question, if Sempra did not get natural gas as its fuel, what would it use? He added in reference to Mr. White's comment of Native Americans, and members of the general population having a difficult time coming together in their ideas, because of a differing culture, he emphasized that we are all human beings and must continue the dialog and keep an open mind.

*Octavio Simoes* stated that Sempra has no intention of burning anything except natural gas. The pipeline is built by Pacific Gas & Electric in the U.S., and Sempra International, in Mexico. InterGen's building permit differs, and states that if natural gas is not available, InterGen can convert to oil. However, because of this 25 year contract, if they do not deliver power on the day they win the contract, they face \$40 million in penalties, added daily.

*Therese George, Biologist*, recognized Mr. Herrera's good point, regarding Native Americans and added the fact that three nations are converging: the U.S., Mexico, and Indian Nations. She, then, brought up several new issues, not previously mentioned: 1.) Boeing and Lockheed will move to Mexicali, by the end of 2002, making large demands on water, and power. Control over the lower Colorado has shifted to United Nations Educational Scientific and Cultural Organization (UNESCO), since 2000, which explains why Washington has more clout than local groups do. International interests drive the decisions, with a large portion of the aerodynamic industry located in Mexicali and Tijuana. 2.) Microbiologists working on chemical weapons, such as *Fusarium oxysporum*, have tested several in the Imperial and Yuma Valleys. Some chemicals have shown up in crops, with potential to leave soil fallow and sterile for 40 years, and 12 microbiologists have died from exposure.

Ms. George urged the Board to consider who is controlling our water.

*Chair Kraus* heartily thanked those speaking, and sharing their views with the Board. *Elaine Koerner* added her appreciation to the speakers and members of the public, emphasizing what an informative morning it was. She announced that KSWT television, which covered the meeting earlier in the morning, hopes to air the clip that evening at 5 p.m. and 9 p.m. on Channel 13.

Lunch recess began at 1:15 p.m.

Reconvening at 2:45 p.m., *Chair Kraus* welcomed and introduced Sheila Delenty, the meeting's hostess,

Director of the campus. *Sheila Delenty* stated she was glad to see everyone here in their library, but invited everyone to view the gallery, showcasing an environmental artist from California, Heine Otis.

*Chair Kraus* introduced additional audience members,<sup>7</sup> and introduced the next speaker.

***Local Environmental Issues - A View from State Government in Mexico - Slide Presentation:***

*Jorge Dominguez, Environmental Issues of Mexicali, substituting for Ephrain Munoz, Director of CESP, Mexicali*

Introduction:

Jorge Dominguez, Environmental Issues of Mexicali, thanked the Board for inviting him, and apologized for Mr. Munoz's absence. Mr. Dominguez outlined the water systems in place in Mexicali, providing many technical statistics in his slide presentation.<sup>8</sup> Several important facts surfaced: 1.) 3,250 million cubic meters of water remain available to the state, with 61 percent surface water, and 80 percent groundwater.<sup>9</sup> Almost 56 percent of this water generates from the Colorado River. 2.) Mexicali has a national agreement between the U.S. and Mexico, guaranteeing Mexico a volume of 1.5 million acre feet of water. 3.) Created in 1967, the system converts water into potable water, and collects, and treats wastewater. 4.) Producing approximately 86 million cubic meters last year, commercial usage equaled 6 percent; domestic, 72 percent; government agencies, 7 percent; and industry, 7 percent.<sup>10</sup> 5.) Two treatment plants, and five maintenance pumping stations exist in the system, including a natural process, consisting of three lagoons.

Issues and Project Solutions:

High levels of chloroform still persist, and the plans to remedy this situation are in place. Also, the quality of water, in other areas, is causing problems, such as increased suspended solids, and manganese, microorganisms, and higher costs to eliminate pollutants.

Mr. Dominguez stated that his group installed mechanical sieves or screens in the canal and sedimentation basin to collect pollutants, and constructed other buildings and specification systems of chemical products. Training certification programs continue, with 13 water treatment certified employees, assisted by the California Department of Water Services; and five laboratory analysts, trained by the California Water Association. Conservation efforts, and work to expand certification, and maintenance programs, including those working with producing clean energy, remain priorities.

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<sup>7</sup> Ibid.

<sup>8</sup> Without a copy of the actual slide presentation, specific references were difficult to decipher.

<sup>9</sup> Figures do not add to total.

<sup>10</sup> Ibid.

Questions:

*Mr. White*<sup>11</sup>

*Arturo Venejos, Quality Director, State Water Commission of the Lagoons*, stated that a shared responsibility exists with the two agencies of the college, mainly one, responsible for surveying the discharges, of the company lagoons, does not treat heavy metals. Regarding the biological process for organic matter, such as heavy metals, or soils, ecology would dictate where to dispose of this waste, which each company recovers in its processes.

In reference to *Mr. White's* comment regarding confinement in Baja California, *Mr. Venejos* responded that the system's function is to separate hazardous, and non-hazardous wastes, and establishing confinement sites for hazardous waste, may not be quantified, because of incipient discharge controls. He added that their activities characterize the lagoons, by metering the effluency of effluents, and regulate the laboratory, certifying personnel, to further control these discharges.

*An unidentified person* asked for handouts or additional information and *Mr. Venejos* will provide them.

*An unidentified person* asked whether or not a long-term plan, from Mexico's state or federal governments, exists to clean waters generating from a new river<sup>12</sup> crossing into Mexico. If so, where would that happen?

*Mr. Venejos* responded that an existing agreement states, that any water coming into the U.S. must meet certain parameters. Mexicali's system attempts to fulfill these requirements, but as previously mentioned, their lagoon is not functioning as well as needed. Mexicali continues to perfect its processes, improving them to fulfill the standards required of it.

*Mr. Paz's* comments centered around further explanations of the agreements between Mexico, and the United States, involving international affairs management, establishing engineering projects, such as Law 288. Standards establishing oxygen flow, for example, encouraged the agreement to construct the Mexicali II plant, with an objective to treat 100 percent of the wastewaters. Working to reach a bi-national solution, to difficult problems, each government strives for 50/50 participation. *Mr. Paz* offered attendees, to consult the minutes of the Commission's meetings, for further information.

***Local Environmental Issues - A Tribal View:***

*Mary Belardo, Chairperson, Torres Martinez Band of Desert Cahuilla*

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<sup>11</sup> Unfortunately, the transcriber did not use the translation ear set provided, to translate the question into English, and, therefore, did not capture this question. The summary writer included *Mr. Venejos's* response, attempting to remedy this situation.

<sup>12</sup> Not clear whether the speaker refers to the New River, or another unnamed river.

### Introduction:

Mary Belardo, Chairperson, Torres Martinez Band of desert Cahuilla, echoed concerns heard from other participants, in providing a short overview of critical water problems, from a tribal viewpoint. She began by geographically placing the tribe, occupying the southeast corner of the Valley, consisting of 12 acres of land, and another 11,000 acres, of flat land, by the Salton Sea.

Since the land is flooded, and goes from the Salt River basin, it has been severely impacted by demographic changes in the region. The Cahuilla, Imperial and Mexicali Valleys have become one economic region, with water availability and quality its main issues. Recently, increased population growth has resulted in projections for 250,000 people living around the reservation, within the next 20 years, and 130 golf courses exist, with 15 more slated for construction. The current reduction of water inflow to the Salton Sea, and more pronounced, future reduction, after the water transfer, will result in decreased supply, for an increase, in demand.

### Questions:

*Mr. Guerrero* asked, who monitors the water, coming off the golf courses, to which, *Ms. Belardo* replied she did not know.

*Mr. Guerrero* followed up, asking whether or not anyone knew what types of pesticides, and herbicides were applied.

*An unidentified person* said that s/he could get that information, since s/he was conducting an impact assessment around the reservation.

*Ms. Belardo* added that continued development is inevitable.

*Susan Kunz* asked *Ms. Belardo* for further explanation of how the Southern Californian tribal governments function, regarding protecting environmental resources, discussing environmental health issues, and working together.

*Ms. Belardo* explained that as a sovereign nation, they had their own Environmental Health Department, and belong to various consortiums.

*An unidentified person* commented that his/her tribe has a consortium of “home point source with other tribes,” in responding to the water management forum.

*Ms. Belardo* added that her tribe applied to EPA for grant funding, and established their own EPA.

*Chair Kraus* reminded those present that a sign up sheet, to subscribe electronically, to the monthly roundup report was available, in which Elaine Koerner graciously pulls together, and identifies various events of special interest to those concerned with the border environmental issues. After the break, she asked audience members to introduce themselves,<sup>13</sup> and reminded attendees that ear phones, providing

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<sup>13</sup> Please see pages 3-4 for *List of Participants*.

translation services were available. Another reminder invited the attendees to meet in the lobby to ride over to the art gallery, after the meeting. Also, she reported that the Imperial Valley Press ran an article, regarding the GNEB meeting in yesterday's edition.

### ***EPA Region 9 - Border Activities - An Update***

*Michael Montgomery, Border Coordinator, EPA Region 9*

#### Introduction:

Michael Montgomery, Border Coordinator, EPA Region 9, covering Arizona-California, introduced members of his team, Dave Fahey, instrumental in working with the border board, and Thomas George, from the office of international activities. He coordinates the activities of 12 different people, involved with border activities, such as water, and hazardous waste, emergency prevention, community involvement, environmental health, and education. He mentioned his counterpart, Gina Webber, Region 6, covering Texas-New Mexico.

#### Activities:

Outlining activities, Mr. Montgomery listed the following:

- Developing the next border plan, which would replace Border 21.
- Including Tribes in the decision process, by funding two positions, one in Arizona, and one in California, to share information, and currently clarifying their role in the development process.
- Establishing a public involvement process, and holding a series of public forums.
- Developing strategies to solve the air quality issue, which is the worst in the border region, with the worst ozone, and temperature problem.
- Staying informed so that EPA can be proactive in issues, such as the power plant issues.
- Improving, proactively the bi-national relationship.
- Working, with their counterparts in Tijuana, on the Tijuana Master Plan, looking at ideal water and wastewater needs for 5-10 years in the future; and discussing water quality issues, of the International Wastewater Treatment Plan, and coastal resources.
- Working on the Ticonde River Watershed project, to foster financial cooperation to improve the protection of the upper reaches of the Tijuana Ticonde watershed.
- Working on environmental justice/environmental health, with a grass roots effort to share information about pesticides with farmers, including a forum on health issues, in April.
- Continuing the Wire Border project, making computers available to those not usually having access. Mr. Montgomery invited attendees to view the display of this project in the library.

Mr. Montgomery commended other speakers, in their efforts, during this meeting, for informing attendees about the complex issues.

#### Questions:

*Tony Tirado* expressed frustration with several issues, including: air, and water quality, health issues, funding for resolving the Salton Sea crisis, and lack of meaningful communication, and responsibility. He

repeated what other mentioned in their presentations, about being the poorest, highest unemployed region in California. Mr. Tirado commented that communication needed to improve, regarding all interested parties involved with border issues.

*Kimberly Collins* mentioned the Border Bi-national Environmental Health Conference will be held April 9<sup>th</sup> and 10<sup>th</sup>, and the next meeting for the Bi-national Air Stakeholders Group for the Imperial Valley/Mexicali, to discuss air quality, will be held April 14<sup>th</sup> in the Imperial County, at the Public Health Office.

*Jerry Paz* wanted Michael Montgomery's view on the issue of federal responsibility for the TMDL's. *Mr. Montgomery* replied that he thought the issue was a bi-national problem, with the debate, involving the Clean Air Act emissions, especially with emissions generating in Mexicali, providing for free passes, waving TMDL's, which he did not think was a good idea. He added that EPA must be careful to use funding efficiently, and reemphasized effective communication.

*Mr. Paz* saw it as a proactive incentive for a higher level of remediation, rather than a free pass..

*Diana Borja* wanted to clarify the Border 21 project, in reference to Mr. Montgomery's activity stating that under Border 21, EPA had worked effectively with Tribes and others. She specifically noted the lack of inclusion of public citizens and Tribes, which she felt were not treated fairly, nor consulted. She asked for a way that the locals can participate.

*Mr. Montgomery* stated he had not meant to imply that.

*Dale Phillips* wanted Michael Montgomery to clarify how Tribes would participate.

*Mr. Montgomery* promoted the idea of regionalization in making certain that the tribal community had a seat at the table.

*Chair Kraus* asked about emergency preparedness update, and *Mr. Montgomery* said it would be a priority for their upcoming board.

*Mr. Guerrero* stated that he thought the Border 21 project was a "dismal failure," primarily because it was run by bureaucrats, and needed local leadership.

*Chair Kraus* asked students joining the meeting to introduce themselves.

### ***Good Neighbor Board Member Report Outs - Updates on Border-Region Activities by Sector:***

*Jerry Paz*: None.

*Michael Montgomery*: Katherine Coleman, Region 6 will now be EPA's regional representative on the Board.

*Placido dos Santos:* Replacing Border 21: 1.) Establishing a stakeholder plan, emerged as a suggestion to identify how to reach out to the communities, and in what manner; 2.) Developing a capacity building plan, emerged to decentralize and embrace local leadership; and 3.) Identifying task forces, emerged, providing the 10 state, four region matrix, all working together.

The first brainstorming session, prioritizing issues, of the sister city plans for Ombose and Occose took place February 26<sup>th</sup>.

*Gedi Cibas:* The group held a public meeting, regarding the construction of the power plant, in Deming, 15 miles from Mexico. Ninety percent of those attending were concerned about its impact, with sharing water resources with Mexico the biggest concern. Mr. Cibas mentioned that Texas may be planning a stakeholders' meeting, which would be a first, for them. Mr. Cibas added that his group will prepare a border issue document, reflecting New Mexico's concerns.

*Larry Allen:* The Malpai Borderlands Group used conservation issues, to protect habitat fragmentation, by approving two new easements, in the area south of Rodeo, New Mexico, protecting the wildlife migration corridor, between the Peloncillo, and Chiricahua Mountains. Three additional easements are in progress. Also, the group continues with their successful rancher workshops, to promote collaborative planning, as an alternative to litigation.

*Irasema Coronado:* 1.) The ground below fields, bi-national conference, held January 30<sup>th</sup> and 31<sup>st</sup>, at the university was well attended. 2.) The cities of El Paso and Juarez are working together to establish a bus lane, with permits pending, to discourage people from driving their cars. 3.) A troubling quote, in the El Paso Times, states that Mr. Ruffo wants to use North American Development Bank (NADBank) funds to build a road linking parts of Chihuahua, with Santa Theresa. 4.) The El Paso activist community is focusing attention on human rights issues, regarding deaths of women.

*Ed Ranger:* 1.) The Environmental Board has significantly increased its outreach efforts, hosting an event for the Board of Trade in Mexico City, regarding two issues: the high priority of water supply and water quality issues, and political proposal to net out the debt difference from the Rio Grande and the Colorado, prejudicing both populations. 2.) The Board of Trade Alliance issued a resolution, urging the U.S., Canadian, and Mexican governments, to actively discuss the cross-border lack of harmonized air emission standards for power generating plants. 3.) The Environmental Board hosted a continuing legal education conference on water environmental law in Scottsdale. 4.) The Environmental Board identified issues, interrelated with the Homeland Security initiatives from Washington, D.C., as they impact the border. Mr. Ranger made these available to GNEB members.

*Mr. Guerrero* made a correction in his organization's name: Natural Resources Conservation Service.

*Diana Rose:* Distributed copies of news articles, reporting on two programs, involving environmental issues: 1.) CODAR, a radar system, providing realtime information on surface ocean currents; and 2.)

Sedimentation basin project, in the Tijuana River Valley, a wetlands restoration project.

*Raphael Guerrero:* Announced: 1.) USDA Secretary Veneman designated 20 new RC&D areas across the country, two border areas, Imperial County, and Texas, making 12 fully authorized RC&D councils along the border, filling three vacancies. He also designated two new empowerment zones; and announced an under secretary for the National Environmental Mission. 2.) U.S. Senate passed its version of the Farm Bill, sent to conference. 3.) Bio-diversity study by the Council on Environmental Quality, on dramatic bio-diversity losses taking place across North America, Canada, the United States, and Mexico. 4.) President Bush announced the Clear Skies and Global Climate Change Initiative, with more information on the Internet. 5.) Mr. Guerrero passed around a map, showing land uses, illustrating the large amount of land for ranching.

*Diana Borja:* The Texas Resource Conservation Commission's efforts include: 1.) Its first ever report, which focuses on the state of the Rio Grande and the environment of the border region. 2.) A planned meeting, in September, with the local community in the border region, to solicit their feedback on the report, with policy recommendations published in January 2003. 3.) The water debt, involving the 1944 treaty, including the Colorado, and Rio Grande Rivers, placing the U.S. in the most severe diplomatic crisis, ever with Mexico. In October 2002, if nothing changes, Mexico will be in violation of this treaty. 4.) The top five environmental issues in Texas are: water supply, water quality, waste, air, and capacity building. On-going training grants are essential.

*Dale Phillips:* 1.) Issues remain stagnant and local communities do not see many positive results or resolutions of the same old problems.

*Susan Kunz:* From data collection in Mexico, during the summer, with results presented to tribal leadership, the Tohono Nation has undertaken a health assessment, of its members in Mexico, and the U.S., including environmental health, and environmental exposures, among a number of public, and health care issues. By fall, they hope to share the information.

*Jose Angel:* The California EPA Water Quality Regional Control Board: 1.) Will follow closely, the water transfer of the state board, holding hearings in April, with a preliminary workshop to provide policy for conducting the hearings. 2.) Will provide and coordinate a response of a draft environmental impact assessment on the transfer. 3.) Is following up the original water quality control in San Diego. 4.) Will continue with their inspections at the border crossings for tracking hazardous waste. 5.) Will release a request for proposals for Proposition 13 grants, the Water Act of 2000.

*Mr. Guerrero:* What is the status of the water conservation data, by the 10 state governors from last June?

*Mr. dos Santos* replied they declared establishing a Border Water Conservation Day, with four U.S., and six Mexican states agreeing on March 22, which coincides with National Water Day.

*Ms. Borja* and *Mr. Cibas* added that they will probably do something, as well.

*Chair Kraus* reminded Board members to add dates to the roundup through *Elaine Koerner*, and thanked all the Board members, and guests. She gave a special thanks to *Kimberly Collins*, and *Richard Harmon*, for all their help, at San Diego State University.

*Ms. Kunz* thanked *Ms. Kraus* for being a “great acting chair.”

The session adjourned for the day at 5:30 p.m.

## **Meeting Summary - February 21, 2002**

### ***Opening Remarks and Business Meeting:***

After *Chair Kraus* opened the meeting, *Elaine Koerner* welcomed back the participants, encouraging them to give the Board their thoughts, and ideas, and thanking those who already made comments. She also thanked the planning committee, for a fantastic job, including the high quality of excellent speakers.

Taking care of some logistics, she mentioned that the minutes from the last meeting were not available, due to a glitch with their contractor. *Ms. Koerner* suggested that they be included in the next meeting packet, in *Juarez*. *Ms. Kunz* suggested that the minutes be sent by e-mail, and *Ms. Koerner* agreed. Reiterating the shift in EPA’s lead region for the Board’s representative, *Ms. Koerner* restated that Region 9 would take over for Region 6, and thanked *Darrin Swartz-Larson*.

*Ms. Koerner* moved on, discussing the work grid in each member’s packet, providing a working form to record committees and who will serve on each.

### ***2002 Road Map***

*Ms. Rose* thanked *Ms. Koerner* for the good job she did in summarizing issues, resulting from the strategic planning session in Washington, D.C.

*Ms. Rose* asked about the notes on the back and how they related to the goals and activities on the front.

*Ms. Koerner* clarified that the notes on the back were not part of the consensus process.

*Ms. Sutley* stated, and *Ms. Kunz* agreed that the activities were downplayed and needed to appear stronger, with more explicit language, conveying their obligation to communicate the concerns from the border, to the policy makers.

Additional discussion ensued with a decision to add a bullet under goals stating *Ms. Sutley’s* wording, “seek input from a broad range of border community perspectives.” Then, *Ms. Sutley* added, “Communicate border community perspectives to policy makers.”

More discussion followed, with *Mr. Ranger* adding that communicating the concerns to the policy makers was key, but it was unclear how the Board would accomplish that. He was concerned about the timeliness of issues, and relaying the urgency of what the Board had heard from the regional citizens.

Agreeing with Mr. Ranger, *Mr. Allen* stated that relaying the information more quickly would get the Board more recognition, and *Mr. Cibas* agreed.

*Ms. Rose* questioned whether or not any filtering should take place, before going forward with issues. She also strongly supported assessing the impact of the Board's recommendations, not seeing the activities listed supporting that goal. She also wanted to hear back from the Board.

*Mr. Ranger* suggested that federal, state, and private sector representatives prepare the report to move forward. He also brought up tracking follow-up to Board recommendations, and the difficulty in finding what has happened.

*Ms. Sutley* replied that since meeting minutes exist, the Board could make sure that those who commented would have their views communicated. She added the perspective of people tracking their recommendations, and remained concerned about the wording of the activities.

*Ms. Kunz* suggested creating a statement that would allude to the different mechanisms the Board uses to communicate the information it receives.

*Mr. Guerrero* brought up the point of performance measurement, or assessing, and measuring performance and accountability.

*Mr. Cibas* suggested a timely summary of the major issues brought up in comment sessions, sent to each member of the legislature with a full report.

*Mr. dos Santos* questioned whether or not Congress, or the President reads the Board's report. But adding that each agency is responsible for the day to day operations of the government, and that is where change will occur.

*Ms. Koerner* suggested they table this discussion for later, during the break, and give more attention to the issue of relaying information in a timely manner. She stated that if a timely summary were indicated, she would need Board members' assistance in producing that. She also stated that she would work with the Board to identify those projects that link to the Board's recommendations.

*Ms. Koerner* recommended that the Board consider having the dialog, regarding the extent to which each agency reads and attends to the Board's recommendations, between the federal members of the Board during the Juarez meeting.

*Chair Kraus* agreed it should be a specific agenda item.

*Mr. Paz* suggested gathering success stories, in highlighting and measuring assessments of recommendations that actually improved environmental quality.

*Ms. Kunz* reminded the Board to use the information resulting from the Washington, D.C. meeting, in assisting the committees with their work.

*Ms. Koerner* called for those willing to draft a revised version of the flip chart to work with her during the break, with Nancy Sutley, Jennifer Kraus, and Ed Ranger volunteering.

### ***Report Outs for the Upcoming Meetings:***

*Chair Kraus* asked that Board members reintroduce themselves to the guests in the audience, and gave a warm welcome to the members of the public.

Then *Ms. Koerner* proceeded with assignments for the next two upcoming meetings, stating that she would update, and circulate the new list. She also announced that the Fifth Annual Report had been posted to the website, and that she was working on updating the website.

*Mr. Sweetland*, not a Board member, offered his assistance in planning future meetings, and was warmly received by *Ms. Koerner*, *Mr. dos Santos*, and *Mr. Guerrero*.

*Ms. Koerner* opened the discussion for themes for the Juarez and Nogales meetings, suggesting an advisory session with Consejo.

### ***Juarez Meeting:***

*Rescheduled for June 5<sup>th</sup> and 6<sup>th</sup>* Discussions were held to reschedule the meeting.

*Gedi Cibas* reported that air and waste were suggested themes, with sub-topics, including: tires, transportation issues, wastewater, and landfills. Also, including success stories to report, and perhaps tying in economic issues into the themes, since Juarez employs more people than surrounding areas.

*Mr. Guerrero* mentioned what *Karen Chapman* had suggested: community-based urban success stories, citing FMAC, building the capacity of women to train families.

*Michael Montgomery* added air quality improvement projects, such as road paving, and for the Board to focus on impediments and opportunities to develop funding mechanisms for air quality projects.

*Ms. Kunz* brought up the issue of additional time needed if the meeting included bi-national planning necessities. *Ms. Coronado* agreed that the Board needed to limit its time. And *Ms. Koerner* suggested calling the meeting “a joint session with Consejo, in lieu of “bi-national.” She further suggested keeping the agenda flexible and including a field trip. Further logistical discussions ensued, with emphasis on inviting local speakers to discuss local-specific issues.

*Ms. Borja* commended the Board for moving from skimming issues, to presenting in-depth informative

sessions, allowing members to become better informed. However, the sessions become very lengthy and she applauded Ms. Coronado's suggestion to include written report, or summaries ahead of time, so that members could read papers, before the meetings.

*Ms. Koerner* reiterated that she wanted the Juarez meeting to focus on air, with a "very robust dialogue with Consejo."

*Mr. dos Santos* and *Ms. Sutley* concluded that there was a price to pay for exclusivity, since issues are tied together. And *Ms. Koerner* agreed to set up a telephone conference call to reach a decision on this issue.

***Remarks from Guest Speaker, Congressman Bob Filner:***

Speaking with heartfelt concern about the border region, Congressman Filner expressed his thanks to the Board, in their work, and focus on this area. Not hearing much support from his peers, he joins in their efforts to promote real cooperation, and cross-bordered information, and decision-making, and shares their frustration that more is not being accomplished, in terms of real results. He also mentioned that the Board's report has not received the attention it deserves, primarily because of the absence of major political power and clout, regarding the border region. Projects, he currently works on, consist of infrastructure to deal with sewage, in one case, and transportation, in another, in which, when the two nations truly cooperate, are able to improve the quality of life on both sides of the border.

Pushing forward, new problems arise, even with successes, after the sewage treatment plant was actually up and running, such as how to conduct the secondary level required. Creating a many faceted partnership, the Bahagua project emerged. But it is not without delays, and quagmires in bureaucracy. Another idea surfaced, which could alleviate economically stalled Tijuana, and San Diego, another project proposes a freight rail connection, to the east of their respective cities.

In the wake of September 11<sup>th</sup>, citing increased border security as responsible for four to eight hour long waits to cross, many border communities are dying. Calling for continued cooperation and diligence, Congressman Filner continues to battle indifference, and disinterest, in this highly fragile region.

**Questions:**

*Nancy Sutley* spoke about unsuccessfully persuading both federal governments, to notify local communities, and governments of projects that affect the border environment.

*Congressman Filner* replied that sometimes internal cooperation is needed, as well.

*Celeste Cantu* thanked the Congressman for his words, and offered assistance from the State Water Board, for which Congressman Filner thanked her.

*Ms. Borja* brought up the issue of NAFTA, especially involving increased transportation trucks, with

benefits not always translating to a healthier border region. She asked for other avenues to voice local concerns.

*Ms. Coronado* offered her newly authored book on cross-border cooperation.

*Mr. dos Santos* also appreciated the Congressman's time and efforts, and suggested an advisory council with a border office from each side, with a dynamic, strong leader. Congressman Filner seemed flattered.

*Mr. Ranger* commented that there may be too many mechanisms and not enough coordination, or communication.

### ***Nogales:***

*Placido dos Santos:* The proposed dates are October 9<sup>th</sup> and 10<sup>th</sup> in Nogales, Arizona, with several choices for themes: ranching and conservation, environmental health, and budget and homeland security, with a field trip visiting the Santa Cruz River, depicting innovative ranching techniques.

*Mr. Ranger* mentioned the interrelationship between the Homeland Security new budget, and the "standard" issues, consistently on the table.

*Mr. Guerrero* brought up the point of President Bush's carbon sequestration policy issued in February, being a good focus for the range land's potential carbon sequestration value, and its environmental benefit.

*Mr. Montgomery* offered to volunteer for this planning committee.

*Mr. Allen* suggested renewable natural resources relating to air. Additional discussions were held, with *Ms. Koerner* suggesting natural resource management and environmental health as the themes, and the discussion will continue in a telephone conference call.

### ***Outreach for the Fifth Report:***

*Chair Kraus* called for a report on the Board's outreach efforts, and asked that each member provide that written copy of the information to *Ms. Koerner*:

*Ms. Coronado:* The entire Texas congressional delegation, and Senator Hillary Clinton.

*Ms. Kunz:* Congressmen Colby, and Kyle.

*Ms. Sutley:* Congressman Filner, and the California Institute for Federal Policy Research.

*Ms. Rose:* Senator Feinstein, Senator Boxer's district directors, the executive director for SANDAK.

*Ms. Koerner* stopped the meeting to thank Diane Rose, as a new member for her exemplary work, and thanked the other new members, as well.

*Mr. Guerrero:* U.S.-Mexico Border Coalition, the U.S.-Mexico Border County Coalition, and the Chairman of the Council on Environmental Quality at the White House.

*Mr. dos Santos:* Shared with the 10 states Mexican counterparts.

*Mr. Phillips:* Two communities in Mexico, speaking with their Tribal Chairman; and the Colorado Indian Tribe's Chairman.

*Ms. Koerner* brought up the issue raised by several members of highlighting individual speaker's comments to incorporate priority issues into the 6<sup>th</sup> report.

*Mr. Ranger* asked about the problem with not having the last minutes available and suggested getting a college intern to write the minutes immediately, facilitating synthesizing the content, to save contractor costs. *Ms. Koerner* stated that if the planning committees agreed they could find a resource to help.

### ***Board's Discussion on Previous Day's Briefings***

*Ms. Rose* complimented the Board on the quality of speakers for this meeting.

*Mr. Phillips* commented that although the speakers were good, none of the issues were new. The only thing he really liked was the public input.

*Mr. Guerrero* stated that listening to the previous day's speakers, gave him the idea of establishing a "Bi-national Academy of Sciences," like the National Academy of Sciences, to standardize data collection, measure growth, jointly.

### **Mechanisms to Capture the Issues Discussed:**

Additional discussions were held regarding a possible group to formulate a two to four page summary, capturing the highlights of each meeting, especially regarding public comment, provided in a quick turnaround. *Mr. dos Santos* volunteered to do this at the Nogales meeting. *Ms. Koerner* added that the Board could use comment letters, issued at the end of each meeting, as a mechanism for conveying the Board's recommendations.

*Mr. Cibas* discussed the possibility of composing a press release after each meeting.

Suggestions of sharing notes at the end of this meeting were discussed. *Ms. Rose* indicated that she would like a consensus from the Board, before compiling a summary, to capture what everyone agreed were the highlights, and *Chair Kraus* thought that each member's notes may contain a specific perspective, not conducive to the entire group.

*Ms. Koerner* stated the Board agreed that a subset of the Calexico planning committee will compile a two to four page summary of all the speakers, including public comments, heard during the first day of the meeting, and will send them to her by e-mail. She will subsequently forward them, to the entire Board, for comment, later in March.

The last item of business was raised by *Ms. Kunz*, regarding the appointment of a new chair. Administrator Whitman is in the process of choosing someone, and the question was brought up to highlight the extra work that *Ms. Koerner* has performed.

Before adjourning, *Mr. Waterman* made the comment that many Board recommendations involve infrastructure, and could the Board focus on public health interventions, for health problems that are a result of environmental problems?

*Ms. Koerner* thanked everyone for an excellent meeting, with a round of applause for Jennifer Kraus, Acting Chair. She also thanked Geraldine Brown, and Lois Williams with a round of applause.

The meeting was adjourned at 12:25 p.m., to proceed on the field trip.